Amendment of Section 18.

4. In Section 18 after the words "Village Panchayat" "or groups of such Village Panchayats" and after the words "limits of the Village" the words "or Villages" shall be inserted.

Substitution of new Section for Section 19.

5. For Section 19, the following shall be substituted.—

"A Village Panchayat Court established under this Regulation shall, if it is formed by the members of a single Village Panchayat, consist of as many Judges, as there are members in the Panchayat one of whom shall be styled the President and shall, where formed by groups of Village Panchayats, consist of not less than 7 and not more than 11 Judges, one of whom shall be styled the President. Every suit instituted and every proceeding before a Village Panchayat Court shall be disposed of by a Bench of at least 3 Judges. In case of difference, the opinion of the majority shall prevail. When the Judges are equally divided, the opinion of the President or in his absence, of the Senior Judge shall prevail.

For the purposes of the Regulation, the Diwan may nominate one of the Judges, other than the President, as the Senior Judge.

The Judges of the Group Panchayat Court shall be elected by the Members of the Village Panchayats concerned.

The Diwan shall have power to frame rules to regulate the number of Judges and the manner and conduct of elections of the Judges of the Group Panchayat Courts".

Amendment of Section 22.

6. To Section 22 the following proviso shall be added at the end.—

"Provided that in the case of a Village Panchayat Court formed by groups, the local jurisdiction of such Court shall extend to the local limits of all the Village Panchayats forming such Village Panchayat Court."

Mr. K. Achyuta Menon.—Sir, I rise to move that the Bill may be taken up and passed to-morrow.

Mr. C. J. Mathew.—I second it.

Motion put and carried

Resolutions:—(1) Contracts in the Depressed Classes Department.

Mr. M. K. Raman.—Sir, I beg to move the following resolution. "This Council recommends to the Government to issue strict orders to the Protector of the Depressed Classes not to give any con-

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tracts in the Department to any one other than the Depressed Class people whenever and wherever there are persons from that community coming forward to take up such contracts."

I do not think that any long speech is necessary to commend this resolution to the acceptance of this House. The Department itself is created for the benefit of the depressed class people and if the contracts of that department are given to members of other communities it means even that chance of getting a small profit will be lost to the depressed classes. We have been hearing a number of complaints from the Member for the Depressed Classes in this Council and also from the papers that these contracts or most of the contracts are given to others. Not only do the depressed classes complain that they do not get these works but also that others are not carrying them out properly. We can avoid similar complaints hereafter by giving the contracts to the depressed classes themselves. I think it is only fair that these contracts should be as far as possible be given to them. If there are not persons competent to carry out the work among them then probably you may be justified in your present conduct. But there are various minor contracts for which the depressed class people themselves have got sufficient number of competent men, for example, granite works and things of that sort. I know there are experts among the depressed class people who can do that kind of work. Again they have got, I know, an association of their own, and perhaps others also, which will take up small contracts. I do not therefore think that there can be any justification for the Government not to give contracts to them. If the Government is prepared to accept this resolution, I suppose there will be no opposition from any other side.

മിസ്റ്റർ കെ. പി. വള്ളോൻ.—ഈ നിശ്ചയത്തെ ഞാൻ ബലമായി പിന്താങ്ങുന്നു. അധഃകൃതസംരക്ഷണ ഡിപ്പാർട്ട്മെണ്ടിലുള്ള കൺട്രാക്ട്കൾ എല്ലാം—അധഃകൃതരിൽ പലരും ആവശ്യപ്പെട്ടിട്ടും അവരിൽ ഒരുത്തക്കും കൊടുക്കുന്നില്ലെങ്കിൽ പോകട്ടെ.—അധഃകൃതക്ക് സഹകരണ സംഘങ്ങളും മറ്റും ഉള്ളപ്പോൾ അന്യന്മാർക്ക് കൊടുക്കുന്നതു് ഒരിക്കലും അധഃകൃതരെ നന്നാക്കുവാനാണെന്നു തോന്നുന്നില്ല. ആദായത്തിനു വേണ്ടി മാത്രം കൺട്രാക്ട്കൾ എല്ലാം അന്യന്മാർക്കു കൊടുത്തു് അവരെ നന്നാക്കുകയാണെങ്കിൽ അധഃകൃതർ വാസ്തവത്തിൽ വലിയ കഷ്ടത്തിലാകും. മറ്റുള്ള ഡിപ്പാർട്ട്മെണ്ടുകളിലെ കൺട്രാക്ട്കൾ എടുക്കുവാൻ അധഃകൃതക്ക് പണപ്പായ്ക്കയും കായ്പ്പായ്ക്കയുമില്ല എന്നു വന്നേക്കാം. അതുതന്നെയാണു് മറ്റുള്ള ഡിപ്പാർട്ട്മെണ്ടുകളിൽ ആവശ്യപ്പെടുമ്പോൾ അവരോടു പറഞ്ഞുവരുന്ന മറുപടി. അധഃകൃതക്ക് ഇപ്പോൾ

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ഒരു സംരക്ഷകന്റെ മേൽനോട്ടമുള്ള സ്ഥിതിക്ക് ഈ കൺട്രാക്റ്റു
ളെല്ലാം അവർക്കു തന്നെ കൊടുക്കുകയാണെങ്കിൽ എങ്ങിനെയെങ്കി
ലും അവരെ ഒരു ഉണ്ണകരമായ നിലയിൽ വരുത്തുവാൻ സാധി
ക്കും. അതുകൊണ്ട് സംരക്ഷണ ഡിപ്പാർട്ടുമെണ്ടിലുള്ള എല്ലാ കൂ
ൺട്രാക്റ്റുകളും അധികൃതർക്കു തന്നെ കൊടുക്കേണ്ടതാണെന്ന്
അപേക്ഷിച്ചുകൊണ്ട് ഈ റസല്യൂഷനെ ബലമായി പിന്താങ്ങുന്നു.

Mr. A. Sankara Poduval.—I would desire to move an amendment, with your leave, to add the following words:—"whenever there are competent persons ".

President.—There is already an amendment to that effect in the name of Mr. T. A. Ramachandra Ayyar.

Mr. T. A. Ramachandra Ayyar.—I do not move it.

Hence the following amendment was considered withdrawn.

Mr. T. A. Ramachandra Ayyar.—*Insert after the words "other than" and before the words "the depressed classes" the following:—"A nominee of the Protector competent to carry out the contracts from".*

Rama Varmha Tampuran.—As far as possible Government are trying to encourage the depressed classes in every respect. But the Government should make clear one point, that on no account should a situation arise when the name of a depressed class man is put forward as a plausible name with somebody else behind it. A contingency like that is likely to arise and therefore we have to guard against such a contingency and if we are to guard against such a contingency we cannot accept the resolution as it is. We are inclined to encourage them as far as possible. But for the reason given we cannot accept this particular resolution. Government are therefore constrained to oppose it.

Mr. M. K. Raman.—But has the Government any objection to give any contract to the depressed classes when *bona fide* requests are made to them ?

Mr. A. Sankara Poduval.—It is to cover these cases that I wish to move my amendment.

Rama Varmha Tampuran.—Government are already encouraging the depressed class people.

Mr. M. K. Raman.—There is another point which I wish to bring to the notice of the Government. I think tenders are called for for these contracts. Suppose a non-depressed class man, a caste Hindu, Christian or Muhammedan, tenders at a lower rate. Then what will be the position? All these things should be considered before we come to a decision. In all such contracts I think generally the lower rate is accepted. As the

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resolution now stands, I do not think the department has a right of selection. In cases where tenders are invited—of course, if it is without tenders it is another matter—I think there will be some items for which Government will call for tenders—then the question is whether the lower rate has to be considered or the caste of the tenderer has to be considered. I would like to know from the Government whether in such cases tenders are invited.

Rama Varmha Tampuran.—Tenders are called for for every Government work.

Mr. M. K. Raman.—I think there will be some small contracts which may be entrusted to these people.

Rama Varmha Tampuran.— The rule is that every contract should be given only after inviting tenders.

Mr. K. Ayyappan.—Are there not works given without tenders ?

Rama Varmha Tampuran.—There may be.

Mr. M. K. Raman.—Will the Government have any objection to give them those works for which no tenders are called for ?

Rama Varmha Tampuran.—Where tenders are not called for and where *bona fide* depressed class people are coming forward, Government will have no objection.

Mr. M. K. Raman.—On that assurance, I beg leave of the House to withdraw the resolution.

Resolution was, with leave, withdrawn.

Point of order:—re. Priority of a Resolution.

Mr. T. A. Ramachandra Ayyar.—I rise on a point of order. According to the new ballot rules every Member who has given notice of a resolution must be given an opportunity to move his resolution before another Member is given a second chance. Accordingly if a Member has given notice of more than one resolution, he will be allowed to move the second resolution only after the other Members have moved their resolutions. I had sent a resolution and that has been put as the last one. I think it is improper.

Mr. C. J. Mathew.—Sir, it was admitted as a special case after the balloting was over. That is why it was put as the last one.

Mr. T. A. Ramachandra Ayyar.—But I had sent the resolution in time.

Mr. C. J. Mathew.—But the matter was referred back to the Member for clearing certain objections and his reply reached here very late after the balloting was over.

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